

Docket No.: 215538-00401
Customer No. 27160



14 DAC
PATENT
Application No.: 09/678,952

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of

BEDALOV *et al.*

Application No.: 09/678,952

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:
:
: Group Art Unit: *Unassigned*

Filed: October 3, 2000

: Examiner: *Unassigned*

Title: INTERFERING WITH TELOMERE MAINTENANCE IN TREATMENT OF
DISEASES

OFFICE OF PETITIONS

Assistant Commissioner for Patents
Washington, DC 20231

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DEC 20 2002

OFFICE OF PETITIONS

Dear Commissioner:

RESPONSE TO DECISION ON THE RENEWED PETITION
UNDER 37 C.F.R. §1.137(b)

Applicants respectfully submit a Response to the Decision (Paper No. 12) dated December 4, 2002.

On September 20, 2002, the Applicants submitted, in good faith, or inadvertently, a deficient check in the amount of \$705.00, claiming small entity status for the Petition under 37 C.F.R. §1.137(b). Applicants have enclosed a copy of said deficient check number 4635.

On November 21, 2002, Applicants submitted check number 4724 in the amount of \$705.00, for a Renewed Petition under 37 C.F.R. §1.137(b). Applicants have also enclosed a copy of check number 4724. At said time, Applicants directed the Office's attention to the fact that the Petition filed on September 20, 2002, was inadvertently submitted with the payment for a small entity Applicant. Nevertheless, Applicants submitted a check in the amount of \$705.00, which reflected the difference paid in the September 20, 2002, Petition and the November 21, 2002, Renewed Petition both under 37 C.F.R. §1.137(b).

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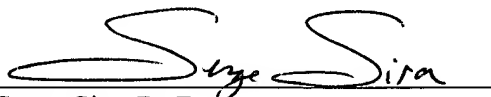
PATENT
Application No.: 09/678,952

Therefore, Applicants respectfully assert that the current Renewed Petition fee and surcharge due for a large entity has been satisfied with the submissions of check numbers 4635 and 4724, both totaling \$1,410.00.

Moreover, Applicants further respectfully assert that the Renewed petition does in fact set forth that the required statement that the entire delay from the due date of June 21, 2001, to the date of the filing of the Renewed Petition was unintentional as required by 37 C.F.R. §1.137(b)(3). A copy of the said Renewed Petition is enclosed.

Applicants believe that no fee is required with regard to this Request. However, in the event that a fee is required, the Commissioner is authorized to charge such fee to Deposit Account No. 50-1710.

Respectfully submitted,



Serge Sira, Ph.D.
Registration No. 39,445
Gilberto M. Villacorta, Ph.D.
Registration No. 34,038

Patent Administrator
KATTEN MUCHIN ZAVIS ROSENMAN
525 West Monroe Street, Suite 1600
Chicago, Illinois 60661-3963
Fax: (312) 906-1021
(202) 625-3500
Date: December 19, 2002

Katten Muchin & Zavis Rosenman

4635 15-122
540

DISBURSEMENT ACCOUNT
1025 Thomas Jefferson Street NW
East Lobby: Suite 700
Washington, DC 20007-5201

FIRST UNION NATIONAL - DC

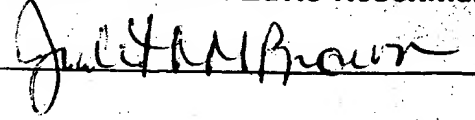
Date: September 19, 2002

Pay: Seven hundred five and 00/100***** \$***705.00***

PAY
TO THE
ORDER OF:

Commissioner of Patents & Trademarks
Deposit Accounts - Box # 16
Washington, DC 20231

Katten Muchin & Zavis Rosenman



AMOUNTS OVER \$5,000.00 REQUIRE SECOND SIGNATURE

⑈00004635⑈ ⑆054001220⑆2030000033731⑈

Payee: Commissioner of Patents & Trademarks
Vendor ID: V03499

Check #: 4635
Check Date: Sep 19/02

<u>Invoice Num</u>	<u>Invoice Date</u>	<u>Narrative</u>	<u>Invoice Amount</u>	<u>Payment Amt</u>
091902C	Sep 19/02	(215538-401) D. Ward - Filing fee for: Petition to Revive Unintentionally Abandoned Application (\$640); and Notice to File Missing Parts of Application (\$65).	\$705.00	\$705.00
Totals:			\$705.00	\$705.00

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DISBURSEMENT ACCOUNT
1025 Thomas Jefferson Street NW
E: by: Suite 700
Washington, DC 20007-5201

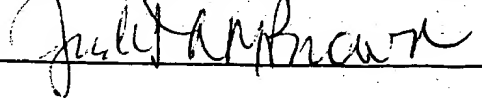
Date: November 21, 2002

Pay: Seven hundred five and 00/100***** \$***705.00***

PAY
TO THE
ORDER OF:

Director of Patents & Trademarks
Deposit Accounts - Box # 16
Washington, DC 20231

Katten Muchin Zavis Rosenman



AMOUNTS OVER \$5,000.00 REQUIRE SECOND SIGNATURE

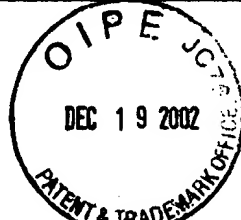
⑈00004724⑈ ⑆054001220⑆2030000033731⑈

Payee: Director of Patents & Trademarks
Vendor ID: V03499

Check #: 4724
Check Date: Nov 21/02

<u>Invoice Num</u>	<u>Invoice Date</u>	<u>Narrative</u>	<u>Invoice Amount</u>	<u>Payment Amt</u>
111902A	Nov 21/02	(215538-401) G. Banks - Renewed Petition & Late Declaration Fee.	\$705.00	\$705.00
Totals:			\$705.00	\$705.00

Attorney Docket No. 21553 J401
Customer No. 27160



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of

BEDALOV *et al.*

Serial No.: 09/678,952

: Group Art Unit: *Unassigned*

Filed: October 3, 2000

: Examiner: *Unassigned*

Title: INTERFERING WITH TELOMERE MAINTENANCE IN TREATMENT OF
DISEASES

Assistant Commissioner For Patents
Attn: BOX DAC
Washington, D.C. 20231

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OFFICE OF PETITIONS

**RENEWED PETITION UNDER 37 CFR §1.137(b) TO REVIVE
UNINTENTIONALLY ABANDONED APPLICATION**

Sir:

Applicants respectfully submit a Renewed Petition to the Commissioner to revive the subject application in response to the Decision Paper No. 10 dated September 27, 2002. The Applicants submit the Renewed Petition under 37 CFR § 1.137(b) on the grounds that Applicants unintentionally failed to respond to the Notice to File Missing Parts to Non-Provisional Application mailed November 21, 2000.

As required by 37 CFR §1.137(b), Applicants are submitting herewith:

(1) The Fee.

A copy of check number 4635 in the amount of \$705.00 submitted in the prior Petition to Revive and stamped U.S. Patent and Trademark postcard evidencing receipt of same by the U.S. Patent and Trademark Office on September 20, 2002. Applicants wish to point out to the Office of Petition that the previous Petition to Revive was inadvertently submitted with the required payment for an applicant accorded small entity status. However, Applicants

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respectfully point out that the Petition should have been submitted with Applicants being accorded large entity status. Therefore, Applicants are submitting herewith a check in the amount of \$705.00, reflecting the difference paid in the prior Petition to Revive and the total amount owed for a large entity. Applicants' current payment therefore includes the total amount owed to the U.S. Patent and Trademark Office for the accompanying Renewed Petition to Revive and the late declaration surcharge fees. The Commissioner is further authorized to charge any additional fees in connection with reviving this application or credit any overpayment to Deposit Account 50-1710.

(2) Reply.

In reply to the Notice to File Missing Parts of Non-Provisional Application, Applicants submit herewith a response to same, including the following:

- 1) Copy of Notice to File Missing Parts of Non-Provisional Application;
- 2) Executed Declaration and Power of Attorney with the mailing address for joint inventor Patrick Paddison as required under 37 CFR § 1.63;
- 3) A copy of check number 4635 in the amount of \$750.00, for the Petition and late declaration surcharge fees submitted on September 20, 2002, and a check for \$705.00, for the difference paid and the amount due for a large entity, and;
- 4) A postcard.

(3) Statement.

The entire delay in filing the required reply from the latest due date, June 21, 2001, for the reply until the filing of this petition was unintentional.

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(4) Terminal Disclaimer.

None required.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Serge Sira", written over a horizontal line.

Serge Sira
Registration No. 39,445
Gilberto M. Villacorta, Ph.D
Registration No. 34,038

Patent Administrator
KATTEN MUCHIN ZAVIS ROSENMAN
525 West Monroe Street
Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061

Date: November 21, 2002